

UNITED STATES DISTRICT COURT**Northern District of California**

Oplink Communications Inc,

07-04582 MJJ

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

v.

O-Net Communications, Ltd.,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
to an e-mail directed to adr@cand.uscourts.gov.

It is the responsibility of counsel to schedule an ADR Phone Conference, if
required, to occur before the Case Management Conference.

Dated: January 9, 2008

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



ADR Administrative Assistant

415-522-4205

Tim_Smagacz@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Oplink Communications Inc v. O-Net Communications, Ltd.

Case Number: 07-04582 MJJ

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On January 9, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Samuel Citron O'Rourke
WHITE & CASE LLP
3000 EL CAMINO REAL
5 PALO ALTO SQUARE
9TH FLOOR
PALO ALTO, CA 94306
sorourke@whitecase.com

Mark R. Weinstein
White & Case LLP
3000 El Camino Real
5 Palo Alto Square, Ninth Floor
Palo Alto, CA 94306
mweinstein@whitecase.com

Heidi Lyn Keefe
White & Case LLP
3000 El Camino Real
5 Palo Alto Square, 9th Floor
Palo Alto, CA 94306
hkeefe@whitecase.com

Julie Anne Nokleberg
Fenwick & West
801 California Street
Mountain View, CA 94041
jnokleberg@fenwick.com

Darryl Michael Woo
Fenwick & West LLP
555 California Street, 12th Floor
San Francisco, CA 94104
dwoo@fenwick.com

Heather Nicole Mewes
Fenwick & West LLP
555 California Street, 12th Floor
San Francisco, CA 94104
hmewes@fenwick.com

Mary Wang
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
mwang@fenwick.com

Carolyn Chang
Fenwick & West LLP
801 California Street
Mountain View, CA 94041
cchang@fenwick.com

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on January 9, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz

A handwritten signature in black ink, reading "Timothy Smagacz". The signature is written in a cursive style with a horizontal line underneath the name.

ADR Administrative Assistant

415-522-4205

Tim_Smagacz@cand.uscourts.gov